



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Examiner: KIM, Young J.  
RAMIREZ-VICK, Jaime E. ) Art Unit: 1637  
Application Serial No. 10/029,113 ) Confirmation No. 2617  
Filed: December 19, 2001 ) Attorney's Docket No. 25527-0001 C1  
For: **REVERSIBLE BINDING OF** ) **Customer No. 25213**  
**MOLECULES TO METAL**  
**SUBSTRATES THROUGH AFFINITY**  
**INTERACTIONS** )

---

EXPRESS MAIL LABEL NO. EV 582 627 901 US  
DATE MAILED: FEBRUARY 10, 2005

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321(c)

**MAIL STOP AMENDMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia. 22313-1450

Dear Sir:

1. The owner, Iris Biotechnologies, Inc., having a principal place of business at 5201 Great America Parkway, Suite 320, Santa Clara, California 95054, represents that it is the owner of the entire right, title and interest in the invention disclosed and claimed in the above-identified patent application, as recorded with the U.S. Patent and Trademark Office at reel 012610 and frame 0085 recording the assignment of the parent application 09/571,084. Iris Biotechnologies, Inc. is also the owner of the entire right, title and interest in the invention disclosed in U.S. Patent Application Serial No 10/333,697, as recorded with the U.S. Patent and Trademark Office at reel 013445 and frame 0035.

Iris Biotechnologies, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, of a patent issuing from U.S. Patent Application Serial No. 10/333,697. The owner hereby agrees

02/16/2005 AWONDAF1 00000091 081641 10029113

01 FC:2814

65.00 DA

that any patent so granted on the instant application shall be enforceable only for and during such period that it and such patent(s) issuing from U.S. Patent Application Serial No. 10/333,697 are commonly owned. This agreement runs with any patent granted on the instant application, and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term of such a patent issuing from U.S. Patent Application Serial No. 10/333,697 as defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, or in the event that it later is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole, or terminally disclaimed under 37 C.F.R. §1.321; has all claims canceled by a re-examination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

2. For submission on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

3. I hereby declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issued thereon.

4. The undersigned is an attorney of record.

5. The Commissioner is authorized to charge any fees, including any fees for extension of time, or credit overpayment to Deposit Account No. 08-1641 (Attorney's Docket No. 25527-0001 C1).

Respectfully submitted,

Date: February 10, 2005

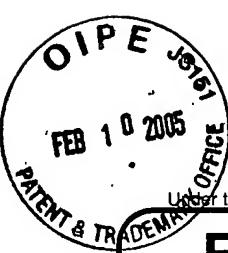
By:

  
James A. Fox (Reg. No. 38,455)

**HELLER EHRMAN WHITE & McAULIFFE LLP**

275 Middlefield Road  
Menlo Park, California 94025  
Telephone: (650) 324-7000  
Facsimile: (650) 324-0638

SV 2099794 v1  
2/10/05 1:38 PM (25527.0001)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	
<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> <b>65.00</b>

Complete if Known	
Application Number	10/029,113
Filing Date	DECEMBER 19, 2001
First Named Inventor	RAMIREZ-VICK, JAIME E.
Examiner Name	KIM, YOUNG J.
Art Unit	1637
Attorney Docket No.	25527-0001 C1

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																							
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number <b>08-1641 (25527-0001 C1)</b> Deposit Account Name <b>HELLER EHRMAN WHITE &amp; McAULIFFE LLP</b> The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> </tr> </thead> <tbody> <tr> <td>Fee Code (\$)</td> <td>Fee Code (\$)</td> </tr> <tr> <td>1051 130</td> <td>2051 65</td> <td>Surcharge - late filing fee or oath</td> </tr> <tr> <td>1052 50</td> <td>2052 25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> </tr> <tr> <td>1053 130</td> <td>1053 130</td> <td>Non-English specification</td> </tr> <tr> <td>1812 2,520</td> <td>1812 2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> </tr> <tr> <td>1804 920*</td> <td>1804 920*</td> <td>Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>1805 1,840*</td> <td>1805 1,840*</td> <td>Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>1251 120</td> <td>2251 60</td> <td>Extension for reply within first month</td> </tr> <tr> <td>1252 450</td> <td>2252 225</td> <td>Extension for reply within second month</td> </tr> <tr> <td>1253 1,020</td> <td>2253 510</td> <td>Extension for reply within third month</td> </tr> <tr> <td>1254 1,590</td> <td>2254 795</td> <td>Extension for reply within fourth month</td> </tr> <tr> <td>1255 2,160</td> <td>2255 1,080</td> <td>Extension for reply within fifth month</td> </tr> <tr> <td>1401 500</td> <td>2401 250</td> <td>Notice of Appeal</td> </tr> <tr> <td>1402 500</td> <td>2402 250</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td>1403 1,000</td> <td>2403 500</td> <td>Request for oral hearing</td> </tr> <tr> <td>1451 1,510</td> <td>1451 1,510</td> <td>Petition to institute a public use proceeding</td> </tr> <tr> <td>1452 500</td> <td>2452 250</td> <td>Petition to revive - unavoidable</td> </tr> <tr> <td>1453 1,500</td> <td>2453 750</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td>1501 1,400</td> <td>2501 700</td> <td>Utility issue fee (or reissue)</td> </tr> <tr> <td>1502 800</td> <td>2502 400</td> <td>Design issue fee</td> </tr> <tr> <td>1503 1,100</td> <td>2503 550</td> <td>Plant issue fee</td> </tr> <tr> <td>1460 130</td> <td>1460 130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td>1807 50</td> <td>1807 50</td> <td>Processing fee under 37 CFR 1.17(q)</td> </tr> <tr> <td>1806 180</td> <td>1806 180</td> <td>Submission of Information Disclosure Stmt</td> </tr> <tr> <td>8021 40</td> <td>8021 40</td> <td>Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>1809 790</td> <td>2809 395</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> </tr> <tr> <td>1810 790</td> <td>2810 395</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> </tr> <tr> <td>1801 790</td> <td>2801 395</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td>1802 900</td> <td>1802 900</td> <td>Request for expedited examination of a design application</td> </tr> <tr> <td colspan="4">Other fee (specify) <b>TERMINAL DISCLAIMER</b></td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> </tr> <tr> <td colspan="4"><b>SUBTOTAL (3) (\$)</b> <b>65.00</b></td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	1051 130	2051 65	Surcharge - late filing fee or oath	1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	1053 130	1053 130	Non-English specification	1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	1251 120	2251 60	Extension for reply within first month	1252 450	2252 225	Extension for reply within second month	1253 1,020	2253 510	Extension for reply within third month	1254 1,590	2254 795	Extension for reply within fourth month	1255 2,160	2255 1,080	Extension for reply within fifth month	1401 500	2401 250	Notice of Appeal	1402 500	2402 250	Filing a brief in support of an appeal	1403 1,000	2403 500	Request for oral hearing	1451 1,510	1451 1,510	Petition to institute a public use proceeding	1452 500	2452 250	Petition to revive - unavoidable	1453 1,500	2453 750	Petition to revive - unintentional	1501 1,400	2501 700	Utility issue fee (or reissue)	1502 800	2502 400	Design issue fee	1503 1,100	2503 550	Plant issue fee	1460 130	1460 130	Petitions to the Commissioner	1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	1806 180	1806 180	Submission of Information Disclosure Stmt	8021 40	8021 40	Recording each patent assignment per property (times number of properties)	1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	1801 790	2801 395	Request for Continued Examination (RCE)	1802 900	1802 900	Request for expedited examination of a design application	Other fee (specify) <b>TERMINAL DISCLAIMER</b>				*Reduced by Basic Filing Fee Paid				<b>SUBTOTAL (3) (\$)</b> <b>65.00</b>			
Large Entity	Small Entity																																																																																																										
Fee Code (\$)	Fee Code (\$)																																																																																																										
1051 130	2051 65	Surcharge - late filing fee or oath																																																																																																									
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet																																																																																																									
1053 130	1053 130	Non-English specification																																																																																																									
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																									
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action																																																																																																									
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action																																																																																																									
1251 120	2251 60	Extension for reply within first month																																																																																																									
1252 450	2252 225	Extension for reply within second month																																																																																																									
1253 1,020	2253 510	Extension for reply within third month																																																																																																									
1254 1,590	2254 795	Extension for reply within fourth month																																																																																																									
1255 2,160	2255 1,080	Extension for reply within fifth month																																																																																																									
1401 500	2401 250	Notice of Appeal																																																																																																									
1402 500	2402 250	Filing a brief in support of an appeal																																																																																																									
1403 1,000	2403 500	Request for oral hearing																																																																																																									
1451 1,510	1451 1,510	Petition to institute a public use proceeding																																																																																																									
1452 500	2452 250	Petition to revive - unavoidable																																																																																																									
1453 1,500	2453 750	Petition to revive - unintentional																																																																																																									
1501 1,400	2501 700	Utility issue fee (or reissue)																																																																																																									
1502 800	2502 400	Design issue fee																																																																																																									
1503 1,100	2503 550	Plant issue fee																																																																																																									
1460 130	1460 130	Petitions to the Commissioner																																																																																																									
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)																																																																																																									
1806 180	1806 180	Submission of Information Disclosure Stmt																																																																																																									
8021 40	8021 40	Recording each patent assignment per property (times number of properties)																																																																																																									
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																									
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																									
1801 790	2801 395	Request for Continued Examination (RCE)																																																																																																									
1802 900	1802 900	Request for expedited examination of a design application																																																																																																									
Other fee (specify) <b>TERMINAL DISCLAIMER</b>																																																																																																											
*Reduced by Basic Filing Fee Paid																																																																																																											
<b>SUBTOTAL (3) (\$)</b> <b>65.00</b>																																																																																																											
**or number previously paid, if greater; For Reissues, see above																																																																																																											

SUBMITTED BY				(Complete if applicable)	
Name (Print/Type)	<b>JAMES A. FOX</b>		Registration No. (Attorney/Agent)	<b>38,455</b>	Telephone <b>(650) 324-7000</b>
Signature			Date	FEBRUARY 10, 2005	

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.